

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 5063 OF 2007

Allimiya Abdul Kadir Mukadam Petitioner

versus

Mohammed Kasim Abdul Kadir
Mukadam & ors. Respondent.

Mr. V.A.Thorat Sr. Adv. i/b A.R.Pande for the
petitioner
Shri S.B.Shetya & Deepti Wadkar for Respondents.

CORAM; A.P. DESHPANDE, J.
DATED; 13TH AUGUST, 2007

P.C.;

1. In a pending suit, the present petitioner moved an application for temporary injunction seeking to restrain the respondent for carrying on construction. Temporary injunction application was rejected by the trial court, and hence a Misc. Civil Appeal was filed. During the pendency of the Misc. Civil Appeal, the Addl. District Judge passed an order on 30-9-2004 directing the parties to maintain statusquo regarding further construction. At a later point of time, the appeal came to be dismissed and hence the present writ petition has been filed. Both the learned advocates appearing for the respective parties are in agreement that till the decision of the suit, the order passed by the Addl. District Judge dated

30-9-2004 be directed to be continued. Copy of the order is taken on record, Till the decision of the suit, parties shall maintain statusquo as directed by the Addl. District Judge vide order dated 30-9-2004. Writ petition thus is disposed of. Hearing of the R.C.S. No.88/04 before Civil Judge, Junior Division, Chiplun is expedited.

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